

PETITION OF THE RIGHT REVEREND THE LORD BISHOP OF TORONTO,
Presented to the Legislative Assembly of the Province of Canada, on Monday, 6th
November, 1843.

To the Honorable the Legislative Assembly, in Provincial Parliament assembled.

THE MEMORIAL OF JOHN, BY DIVINE PERMISSION, BISHOP OF TORONTO,
RESPECTFULLY SHEWETH:

THAT a Bill has been presented for the consideration of Your Honorable House entitled, "An Act to provide for the separate exercise of the Collegiate and University functions of the College established at the City of Toronto, Upper Canada, for incorporating certain other Colleges and Collegiate Institutions, of that division of the Province, with the University, and for the more efficient establishment and satisfactory government of the same," in which Bill enactments are introduced, which, in the opinion of Your Memorialist, are subversive of the sacred rights of conscience as well as of property, and altogether repugnant to the British Constitution, and to civil and religious liberty. And although your Memorialist deems it impossible for Your Honorable House to countenance a measure so deadly to the best interests of man, yet the very fact that it has been presented, is so alarming as to justify a brief reference to its objects, its character, and its consequences.

First—its objects. The leading object of the Bill is to place all forms of error upon an equality with truth, by patronizing equally within the same Institution, an unlimited number of sects whose doctrines are absolutely irreconcilable—a principle, in its nature atheistical, and so monstrous in its consequences, that if successfully carried out it would utterly destroy all that is pure and holy in morals and religion, and would lead to greater corruption than any thing adopted during the madness of the French Revolution, when that unhappy country abjured the Christian Faith and set up, in its stead, the worship of the Goddess of Reason. Such a fatal departure from all that is good, is without a parallel in the history of the World, unless indeed some resemblance to it can be found in Pagan Rome, which, to please the Nations she had conquered, condescended to associate their impure idolatries with her own. 2. In accordance with this Godless principle, the second object of the Bill is to destroy the Royal charter of the University of King's College and to deprive it of its endowment, and to apply the latter to purposes which His late Majesty, King George the Fourth, never contemplated, much less those who petitioned successfully for the Charter and endowment. Two things were prayed for; first—the means of educating young men for the Ministry of the United Church of England and Ireland, the Church of the Empire, and of which the Sovereign is the temporal head. Secondly, the power to open the College or University for secular learning to the whole population. Both were most graciously granted by the reigning Sovereign. The University was placed under the government of a Council whose members were all of the United Church of England and Ireland, that, in this, the most important point, namely Religion, there might be perfect unity.

The Visitor was the Bishop of Quebec, and the President, the Archdeacon of York; so that the religious teaching in the University might be that which the Royal founder professed, and was sworn to maintain as the religion of the Empire. Now it is to be remembered that His late Majesty, King George the Fourth, had an undoubted right to grant the charter and endowment, and being once granted, after long and careful enquiry, and deliberation, as was the case in this instance, I contend firmly, but respectfully, that it is not competent for any power or authority to take them away, or to apply them to purposes foreign to, and inconsistent with, the Royal intention. The King, in virtue of His Coronation Oath, had not the power to patronize or establish any other form of worship within the University of King's College than that of the National Faith, and it is well known that His Majesty neither did nor could profess any other, and yet the proposed Bill drops the principal object of the Charter, namely that, so far as religious instruction is concerned, the Christianity taught shall be that of the United Church of England and Ireland and no other, and opens the door to every species of error taught by the numerous sects which have dissented from that pure branch of the Catholic Church of Christ. So deeply was the Venerable Society, for the Propagation of the Gospel in Foreign Parts, impressed with this view of the subject that they presented a selection of the works of the best Divines of the Church of England, to the amount of five hundred pounds sterling, as a commencement of a Library for the Divinity department.

The Third prominent object of this deadly measure is to restrain the Royal Prerogative so that no Royal Charter shall in future be granted for the establishment of any Seminary whatever, with power to confer degrees, except the proposed Institution, and which is to be constituted a complete monopoly of Science and of what it calls Divinity, and so to preclude any class of Her Majesty's subjects, whatever their wishes may be, from escaping its tyrannical and intolerant provisions, and prevent them from erecting Seminaries for the secular and religious instruction of their own youths, thus instituting a refinement of intolerance and slavery unknown in the worst of times.

The Fourth object is insidiously and indirectly, but virtually and effectually, to prescribe in this British Colony, the Church of England, the bulwark of the Protestant Faith, the Church of the Sovereign and of the Empire; to degrade Her Ministry by excluding them from all professional education and academical honors, except with the sacrifice of conscience; and such is the bitter hostility manifested by the framers of this measure to the national faith that they seek to insult the Church of England in the person of your Memorialist by inventing for him a new title instead of "Bishop of Toronto" conferred upon him by his Sovereign, with whom the sole power rests, by the British Constitution, of establishing Bishopsrics and settling the titles of the incumbents thereof.

Secondly, the character of the proposed University. It is decidedly irreligious and revolutionary, since it not only attempts to hold up the Christian Religion to the contempt of wicked men, by establishing in the same Seminary various denominations, whose principles are hostile and irreconcilable, but disturbs social order by unsettling the property of the whole country. The University of King's College holds its endowments by the same title by which the lands of the Colony are held by their proprietors, and the Legislature may with equal justice seize upon and confiscate the property of individuals as that of the University. It is even worse than Revolutionary, for the endowment of King's College, New York, was left untouched by the Revolution, and remains at this day in the sole possession of that Institution. The only change was the name, which, after the peace of 1783, was altered from "King's College" to "Columbia College"—so far were our neighbors from breaking down, or even molesting literary and religious institutions that they have at all times been zealously disposed to support and to build them up, much less have they attempted the monstrous novelty of combining all sorts of religious sects in one great Institution. On the contrary they have been liberal in bestowing grants on the Colleges of different persuasions, each separate from the other, and they have been most scrupulous, in all they did, to guard and protect the rights of conscience; they felt that to establish and build up, requires wisdom and ability, but to break down what is useful, venerable and holy, requires, instead of ability and talent, the mere exertion of arbitrary and reckless power. The most prominent result of such an experiment as that of uniting all denominations of Christians, as well as persons of no religion, in the management of the same institution, must of necessity be anarchy. It is certainly the first experiment of the kind ever contemplated in any country, and to hope that a University so managed can proceed in harmony and with efficiency is to set at naught all former experience. It is true the charter has been already altered by the Legislature, but such alteration had been previously assented to by the Crown, and it left the vital portions uninjured. The endowment remained untouched, and the Divinity department was maintained on its original footing; and while nothing can be more open or less exclusive in its character than the charter of King's College now is, yet it is secured from anarchy and confusion, and its efficiency made certain, by vesting the power of carrying its provisions into effect, so far as appointments are concerned, in the Crown, where it ought to be, and which I firmly believe to be satisfactory to the great majority of the population.

Thirdly, its consequences.—It excludes, from all participation of the advantages granted by the Royal Charter and Endowment, the Church for whose benefit they were more especially designed, except on conditions to which that Church can never consent. Lamentably would the united Church of England and Ireland descend from her high and holy position, were she to place the purity of her doctrine, and the teachers thereof in the great school of her faith—the nursery of her Bishops, Presbyters and Deacons—either directly or indirectly, under the control of Bodies of which some have no acknowledged religious character, and others are the avowed foes of her Articles, Creeds and Discipline. When I consider the sacred responsibilities entailed upon those whom God has called to preside over the studies of the youth designed for the Ministry of our Holy Church, I feel that it is impossible they can be suffered to take part in such an Institution as that contemplated. If it be said that neither the proposed Caput nor Board of Control are to be permitted to meddle with the Divinity Students, then why should they be attached to an Institution so unnaturally combined as that which the Bill seeks to establish. But this cannot be. The proposed University,

through its Caput, Board of Control and Convocation, legislates for, executes the laws, and controls the several Colleges, as it may think fit; and under such a system neither the Students of the Church of England nor their Instructors can be preserved from dangerous associations, and from the constant presence of error and schism, against which we are bound to pray. The measure unsettles all property, by depriving the University of King's College of an endowment which is the gift of the Crown, and thus it introduces a precedent the most destructive to the very existence of Society. If the patents for land are to be touched, there is an end to permanency of any Institution, and public and private property is alike placed at the mercy of a reckless and changing majority. The University of King's College holds its property by direct grant from the Crown, and its title to the same is equally if not more clear than that by which the Religious and Collegiate Institutions of Lower Canada, in general, hold theirs, though very inferior in value and extent; but if it is to be confiscated without reason, and applied at the will of the Legislature, it is only the commencement of an evil that all good men must deplore. There may be a majority found (though I do not believe it) willing to confiscate the endowment of the University of King's College; but, in a very short time, should so wicked a thing be consummated, another majority will be found, fortified by so unprincipled a precedent, to confiscate the like endowments in Lower Canada; for it is not to be supposed that when confiscation once commences, it will be permitted to stop, more especially since the temptation will be much greater. The Endowment of the University of King's College amounts only to two hundred and twenty-five thousand acres, whereas the property belonging to the Collegiate and Religious Institutions of Lower Canada exceeds two millions of acres, as appears from the following table :

The Ursuline Convent of Quebec	161,516
The Ursulines of Three Rivers	38,909
Recollects	945
Bishop and Seminaries of Quebec	693,324
Jesuits	891,845
St. Sulpicians, Montreal	250,191
General Hospital, Quebec	28,497
Do., Montreal	404
Hotel Dieu, Quebec	14,112
Sœurs Grises	42,336
2,125,179 Acres.	

Your Memorialist deprecates touching one single acre of these Endowments. They are all dedicated to Sacred purposes, and should be held Sacred. What he contends for is, that the Endowment of the University of King's College is equally Sacred; and that if it be taken away (which God forbid) the time will come, sooner or later, when a destructive precedent will be applied to their confiscation. Your Memorialist, therefore, prays that the Endowment of the University of King's College may remain as it is, undisturbed; and he feels assured that no one who honestly wishes to preserve the endowments in Lower Canada, can, with any consistency, vote for its confiscation. A third consequence will flow from this measure, should it unfortunately pass, highly detrimental to the character and working of the British Constitution. The Crown will be degraded in the eyes of the people, and henceforth its gifts will be despised as so much waste paper, and the salutary influences of the Sovereign, and Representatives, become unfelt and unknown.

A fourth consequence will be, the certain disgrace that so wicked a measure, should it become law, will reflect upon the Province. No attempt has ever been made in any country professing Christianity, to place all the errors of weak and wicked men on an equality with Gospel truth. An attempt was indeed made in Prussia, some years ago, by a stretch of tyrannical power, scarcely compatible even with despotism, to amalgamate, as it were, the Lutheran and Calvinistic denominations, but it has signally failed. Men are not machines, nor are their minds malleable like iron—what a melancholy specimen of the march of intellect, in the nineteenth century, does this dishonest and intolerant measure exhibit.

Another consequence of the measure is, that it destroys the value of Academical degrees; for those it confers will, at best, be acknowledged only within the Province, whereas, degrees conferred under the Royal Charter are recognized throughout the British Empire because they emanate from the Crown—thus the destruction of the Charter of the University of King's College takes away all that is honorable in the degrees, and leaves them worthless. Again, the provisions of the Bill preclude the slightest hope that any one will ever, by gift or bequest, endow a literary or religious Seminary in this unhappy Province :

no person could be found so foolish as to do so under restrictions so absurd, restrictions which hinder the donor from giving the power of management of the endowment to whom he chooses and in the way he desires, or to acquire from the Crown the immunities and privileges essential to a University, and which confer upon it dignity and importance. A further pernicious consequence which must flow from this measure is the precedent which it affords of meddling continually, and Session after Session, with Seminaries of learning, and which ought never to be touched except in cases of extreme necessity. The senseless and unjust clamours raised against the University of King's College, operated so far, a few years ago, upon a Government, more disposed at the time to yield to expediency than adhere firmly to sound principle, as to induce it to countenance certain amendments of the Charter (as they were called), and in which, for the sake of peace, the College Council reluctantly acquiesced, and certainly in the hope that the Institution would never again be molested. But although its enemies were for a time satisfied, yet the desire of novelty which generally marks the absence of correct principles, has called up a new conspiracy against King's College, and the result is the measure now before your Honorable House, in which its enemies seem cordially to agree (if in nothing else,) in their implacable enmity to the Church of England, and are willing to surrender or modify their distinctive views and doctrines, provided they can accomplish the destruction of the only Literary and Religious Institution of any character within the Province of Upper Canada. Precedents are thus afforded of continually disturbing the University of King's College, and destroying that tranquillity and repose which are essential to the prosperity and well being of seats of learning.

Fourthly. Having thus touched upon the objects, character, and consequences of the proposed measure for destroying the University of King's College and seizing upon its endowments, it does not appear necessary for your Memorialist to dwell upon the details of the Bill, for if it be, as your Memorialist is convinced, based on principles at once inconsistent with the rights of conscience and of civil and religious liberty, it is of little importance to enter upon the minor objections, such as the deplorable unacquaintance with Literary Institutions every where displayed, the cumbrous and impracticable machinery, the discordant nature of the bodies in which the various powers are lodged, &c. &c.

It may be sufficient to remark that the adoption of the Bill will be to destroy a noble Institution, which, if left unmolested, would, in a short time, shed a lustre over the whole Province; and this without the slightest necessity, since it is quite competent for the Legislature to grant separate Endowments to such Christian denominations as it may delight to honour, without trenching on the rights of the Church of England, or the integrity of the University of King's College.

In conclusion, your Memorialist respectfully, but of right, claims the continuance of the same protection, privileges and immunities for the University of King's College which are possessed, without hindrance or molestation, by the Roman Catholic Seminaries and Institutions of Lower Canada, and to which it is equally entitled by every principle of justice and honour.

Should your Memorialist unhappily fail in arresting the further progress of this fatal Bill in the Provincial Legislature, he has still the consolation to know that it is one of those measures which cannot be finally disposed of by the Colonial Authorities, as it deals with and compromises the most important principles of Revealed Religion, and must be referred to the Imperial Parliament; and he feels satisfied that it will be viewed by that August Body in the same light, as a measure obnoxious to every right principle, human and Divine, offensive to conscience and social order, and such as cannot be entertained, for a moment, by a Christian Nation.

JOHN TORONTO, L. S.